



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/992,058	11/21/2001	Theodore G. Nelson	7082-US	4855

7590 06/30/2003
THOMAS F. LENIHAN
TEKTRONIX, INC.
P.O. BOX 500
M/S 50-LAW
BEAVERTON, OR 97077-0001

EXAMINER

NGUYEN, KHANH V

ART UNIT	PAPER NUMBER
----------	--------------

2817

DATE MAILED: 06/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary

Applicati n No.

09/992,058

Applicant(s)

NELSON ET AL.

Examin r

Khanh V. Nguyen

Art Unit

2817

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 April 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 4-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12 is/are allowed.
- 6) ☒ Claim(s) 1 and 11 is/are rejected.
- 7) ☒ Claim(s) 4-10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Objections

Claims 1, 4-11 are objected to because of the following informalities:

terminologies used in the claims are inconsistent with the specification, such as:

“resistive divider” should be read as --resistive voltage divider--.

Specification refers “capacitive” and not “capacitive divider” as claimed.

Claim 1, page 3, line 14, “said low frequency signals” should correctly be --said low frequency signal—

To avoid lack of antecedent basis in the claims 8-10, “a first resistive path” needs to be defined in independent claim 1.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Figure 3, it appears “a high frequency signal path” is inputted to amplifier (310) and “a low frequency signal path” is outputted to a common center tap (node). However, it is not clear how elements (C301, R301) and (C302, R302) are parallel connected.

Art Unit: 2817

It is not clear which "capacitive divider" is intended.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Link et al. (5,796,308).

Link et al. (Figs. 3 or 4 or 5) disclose a single ended attenuator comprising: an input terminal (Vin) and an output terminal (Vout); capacitors (C1, C2) can be read as high frequency signal path coupled between input and output; resistors (R1, R2) can be read as a low frequency signal path in parallel with high frequency signal path and coupled between input and output; a multiplier (17) can be read as a variable gain amplifier; wherein in the compensation is inherently seen by adjusting gain of the low frequency signal through the resistances.

Allowable Subject Matter

Claim 12 is allowed.

Claims 4-10 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Art Unit: 2817

The following is a statement of reasons for the indication of allowable subject matter:

Claims 4-10, 12 are allowed over the prior art because none of the prior art disclosed or suggested showing the particular structure and/or operation recited in these claims namely: a variable gain amplifier having the connection and function thereof.

Claims 4-7 call for, among others, an inverting amplifier (440) and a second resistive path having the connection thereof.

Claims 8-10 call for, among others, the attenuator further including a second resistive path having the connection thereof.

Claim 12 calls for, among others, a feedback capacitor (C902) shown in Figure 9 having the connection thereof.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The additional reference (Nelson (4,507,618)) shows further analogous prior art circuitry.

This art is deemed relevant and should be carefully reviews before any amendment is filed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh V. Nguyen whose telephone number is (703) 306-9058. The examiner can normally be reached from 8:00 AM-5:00 PM.

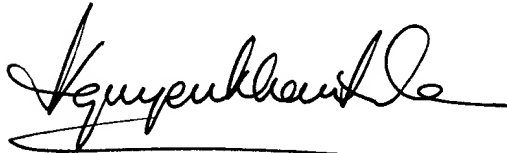
Art Unit: 2817

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on (703) 308-4909. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service at (703) 872-9317.

NKV

06/25/03

A handwritten signature in black ink, appearing to read 'Nguyen, Khanh Van', with a long horizontal flourish extending to the right.

Nguyen, Khanh Van

Group 2800, Art Unit 2817